

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

ROBERT L. McCRAY (AIS #167644),

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Plaintiff,

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V.

2:05-CV-887-F

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PRISON HEALTH SERVICES, INC. et al.,

*

Defendant.

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DEFENDANTS' MOTION TO EXTEND TIME TO FILE
SPECIAL REPORT AND ANSWER

COME NOW Defendants, Prison Health Services, Inc., Michael Robbins, M.D., Winfred Williams, M.D., John Peasant, M.D., Aaron Bee, R.N., H.S.A., Lisa Lassiter, C.R.N.P and Debra Austin, L.P.N. and respectfully request that this Honorable Court extend the time period which these Defendants have to file their Answer and Special Report in this action by thirty days (30) up to and including February 1, 2006. As grounds for this Motion, Defendants show to the Court as follows:

1. The Plaintiff has made complex allegations in his Complaint against multiple correctional health care providers including the company that contracts with the Alabama Department of Corrections to provide care to inmates, three Physicians, a Nurse Practitioner, a Licensed, Practical Nurse and a former Health Services Administrator.
2. The Plaintiff's Complaint against these Defendants include allegations of improper care afforded at three different correctional facilities including Bibb

Correctional Facility, Donaldson Correctional Facility and Staton Correctional Facility.

3. The Plaintiff's Complaint is inherently complex in that it includes allegations that these Defendants failed to appropriately treat a serious medical condition (developing Prostate Cancer), but fails to allege with any specificity how this treatment has been improper.
4. In order to protect their interests, these Defendants are in the process of conducting discovery in order to obtain information from this inmate's "free world" care providers.
5. Due to the number of Defendants named, the multiple correctional facilities involved, the complex nature of the Plaintiff's Complaint and the need to receive information from this inmate's "free world" treating physicians, these Defendants are in need of additional time to provide the Court with a Special Report and Answer pursuant to its pending Order.

WHEREFORE, these Defendants request that this Honorable Court extend the time in which they have to respond to this Court's pending Order by thirty (30) days up to and including February 1, 2006.

Respectfully submitted,

s/L. Peyton Chapman, III
Alabama State Bar Number CHA060
s/R. Brett Garrett GAR085
Attorneys for Defendants PHS


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail
this the 27 day of February, 2006, to:

Robert L. McCray AIS #167644
Bibb County Correctional Facility
565 Bibb Lane
Brent, Alabama 35054



s/R. Brett Garrett GAR085
Attorneys for Defendants PHS